

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

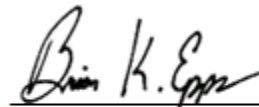
THONY BEAUBRUN,)	
)	
Plaintiff,)	
)	
v.)	CV 322-097
)	
LIEUTENANT BRAY and OFFICER)	
BENTLEY,)	
)	
Defendants.)	

ORDER

On March 13, 2023, United States District Judge Dudley H. Bowen, Jr. issued an Order finding Plaintiff asserted a failure to intervene claim against Defendants Bray and Bentley that had not been addressed in the Court’s Report and Recommendation (“R&R”), and Plaintiff had not been given a reasonable opportunity to amend his pleadings to establish a deliberate indifference claim against the same two Defendants. (Doc. no. 27, p. 2.) Defendants Dodge State Prison, Warden Tommy Bowen, and Counselor Bray were to remain dismissed. (Id. at 3.) Judge Bowen granted Plaintiff’s motion for reconsideration, vacated in part the February 3rd Adoption Order, re-opened the case, and ordered Plaintiff to amend his complaint within twenty-one days. (Id. at 5.) Plaintiff, however, did not submit a second amended complaint as ordered. On April 18, 2023, the Court entered an R&R to screen Plaintiff’s first amended complaint as to the claims against Defendants Bray and Bentley, recommending that Defendants Bray and Bentley be dismissed for failure to state a claim upon which relief may be granted and that the civil action be closed. (Doc. no. 28.)

Plaintiff has now submitted his second amended complaint, (doc. no. 30), and the Court therefore **VACATES** the April 18th R&R. (Doc. no. 28.) Accordingly, Plaintiff's motion for an extension of time to object to the April 18th R&R is **MOOT**. (Doc. no. 33.) The Court screens Plaintiff's second amended complaint as to Defendants Bray and Bentley in a simultaneously entered R&R.

SO ORDERED this 18th day of May, 2023, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Brian K. Epps", is written over a horizontal line.

BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA